

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 5:24-cr-00137

MELANIE HUSSAIN

ORDER

On February 5, 2025, all counsel and the Defendant appeared for a guilty plea hearing. Count One of the Indictment charges the Defendant with knowingly and intentionally distributing a quantity of fentanyl, in violation of 21 U.S.C. § 841(a)(1). [ECF 1]. The Honorable Omar J. Aboulhosn, United States Magistrate Judge, to whom the hearing was referred, filed his proposed findings and recommendation (“PF&R”) on February 5, 2025. [ECF 46]. Magistrate Judge Aboulhosn recommended that the Court conditionally accept the Defendant’s plea of guilty. [*Id.* at 8].

The Court need not review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140 (1985); *see also* 28 U.S.C. § 636(b)(1) (“A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)). Failure to file timely objections constitutes a waiver of *de novo* review and the parties’ right to appeal the Court’s order. *See* 28 U.S.C. § 636(b)(1); *see also United States v. De Leon-Ramirez*, 925 F.3d 177, 181 (4th Cir. 2019) (Parties may not typically “appeal a magistrate judge’s findings that were not objected to below, as § 636(b) doesn’t require *de novo* review absent

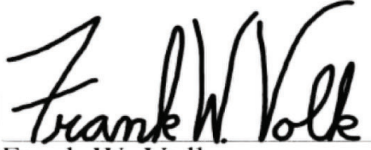
objection.”); *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989). Further, the Court need not conduct *de novo* review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections in this case were due on February 22, 2025. [*Id.*]. No objections were filed.

Accordingly, the Court **ADOPTS** the PF&R [ECF 46]. The Defendant is **ADJUDGED** guilty and deemed convicted of violating the statute charged. All dates and case events in the PF&R are adopted.

The Court **DIRECTS** the Clerk to transmit a copy of this Order to the Defendant and their counsel, the United States Attorney, the United States Probation Office, and the Office of the United States Marshal.

ENTER: March 3, 2025




Frank W. Volk
Chief United States District Judge